



Executive Order

Number: E 1021.00

Date: August 1, 2002

/s/ Douglas B. MacDonald
Secretary of Transportation

Employee Use of Electronic Communication Systems

I. Introduction

This Executive Order establishes both permissible and prohibited use of state-owned electronic communication systems by Washington State Department of Transportation (WSDOT) employees.

WSDOT firmly believes that Information Technology (IT) empowers users and makes their jobs more fulfilling by allowing them to deliver better services at lower costs. As such, employees and contractors are encouraged to use IT services to the fullest extent. Each WSDOT employee has the responsibility to read, understand and follow this Executive Order.

II. Executive Order

WSDOT employees are responsible for using state-owned electronic communication system resources in an ethical, lawful, responsible, and non-discriminatory manner.

A. Definitions

For purposes of this Executive Order:

Electronic communication systems (ECS): ECS include, but are not limited to, any agency owned, funded or acquired electronic media that is used to generate, transmit, display, reproduce, or store communications for business purposes. Such electronic media includes, but is not limited to:

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- Personal computers
- Portable laptop computers
- Personal digital assistants
- Software
- E-mail systems
- Telephones
- Cellular phones
- Voicemail systems
- Facsimile (fax) machines
- Other electronic message systems that store and transmit communications, including the Internet, pagers and related resources.

Internet: Internet means the connection to and use of interconnected networks in the public and private domains to access the World Wide Web, e-mail, file transfer protocols, and other state network resources.

B. Supersession and Related Documents

This Executive Order supersedes and replaces Section III.D. "Appropriate De Minimis Use of E-mail" in the *Ethics in Public Service* Executive Order E 1004.00.

See also Section III.E. "Connecting State/Private Electronic Devices" in the *Ethics in Public Service* Executive Order E 1004.00.

III. Rules and Procedures

A. Permissible Use Established

In accordance with Washington Administrative Code (WAC) 292-110-010, permissible use of ECS is defined as communications that are reasonably related to the conduct of official state duties.

Permissible use of ECS is broken into three categories:

1. Conducting state business.
2. Agency-approved activities.

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3. Authorized, limited (de minimis) personal use per WAC 292-110-010.

The purpose of the agency ECS is to support agency business activities. A WSDOT employee may make occasional but limited personal use of state ECS, including e-mail and Internet resources, if subject matter is not related to activities listed as prohibited and:

- a) Little or no cost to the state.
- b) Does not interfere with the performance of official duties.
- c) Duration is brief, occurs infrequently.
- d) Does not distract from the conduct of state business.
- e) Does not compromise the security of state information or software.

Examples of permissible e-mail and Internet use are given on the Washington State Executive Ethics Board Web site www.wa.gov/ethics.

B. Prohibited Use Established

In accordance with WAC 292-110-010 and this Executive Order, the following activities are prohibited:

- 1. No personal use of e-mail distribution lists.
- 2. No promotion of outside business interests.
- 3. No support, promotion, or solicitation for any outside organization, charity, or group unless provided for by law or authorized by an agency head or designee.

Please refer to *Ethics in Public Service* Executive Order E 1004.00 Sections III A, B, and C regarding fund raising and charitable activities.

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4. No promotion of personal political beliefs or religious affiliations.
5. No harassment.

Please refer to the "Violence Free Workplace" Chapter in the *Human Resource Desk Manual M 3009.00*; and the *Equal Opportunity, Affirmative Action, and Freedom from Discrimination and Sexual Harassment Executive Order E 1014.00*

- F. No downloading of software or files via the Internet for personal use. Downloading of business related software or files must be arranged through the Help Desk.
6. No infringement of copyrights.
7. No discrimination on the basis of race, creed, color, marital status, religion, sex, national origin, Vietnam-era or veteran's status, age, or the presence of any sensory, mental or physical disability, or sexual orientation.

Please refer to the *Equal Opportunity, Affirmative Action, and Freedom from Discrimination and Sexual Harassment Executive Order E 1014.00*

8. No promotion of unlawful or unethical activity.
9. No use to access, transmit, display, chat, or post on the Web sexually explicit content or auction sites on the Internet.
10. No web surfing of shopping sites.

Examples of prohibited e-mail and Internet use are given on the Washington State Executive Ethics Board Web site www.wa.gov/ethics.

C. Employees and Supervisors Complete Form to Document Understanding of This Executive Order

WSDOT employees who use the Internet must complete the Employee Agreement for ECS Access form located in the new employee packet or distributed by Human Resources. This will document their understanding of appropriate and authorized use as described in this Executive Order.

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D. Employees Responsible to Maintain Security

WSDOT will take appropriate measures to provide ECS that are secure for business purposes. However, all users should be aware that electronic message systems are vulnerable to interception and to security violations. In an attempt to maintain security of data created, received, stored, etc., on ECS, WSDOT employees are responsible to:

1. Establish and protect confidential passwords and/or access codes that are used to gain access to ECS (e.g., network ID, e-mail, voice mail, screensaver).
2. Access only messages intended for their review.
3. Notify the appropriate supervisor if they believe their password or access code has been compromised and immediately change the password/code.

Supervisors are responsible to ensure proper employee use of ECS. Supervisors may access any communication system used by an employee to carry out business functions and may request a log of activity if necessary.

E. Take Appropriate Precautions When Using Electronic Communication Systems

Employees need to take appropriate precautions before requesting or transmitting privileged information and messages. Disclosure of privileged information may occur unintentionally or inadvertently when an unauthorized user gains access to electronic messages. Disclosure may also occur when messages are forwarded to unauthorized users, directed to the wrong recipient, or printed in a common area where others can read the messages.

Employees should be aware that it is possible for those outside state government to identify them as visitors to an Internet site. Employees should always exercise conservative judgment in selecting the sites they visit when accessing information on the Internet.

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When using Internet services, employees should be aware that certain electronic documents, which potentially include e-mail messages composed or transmitted on the WSDOT network or the Internet, may constitute public records. Public records must be retained in accordance with RCW and WAC requirements and may be disclosed to requesters. Users must not consider their electronic documents, communications or transactions to be private or confidential, or exempt from litigation related disclosure requests.

F. Information Is Stored According to Established Standards

WSDOT maintains information stored on ECS in accordance with retention schedules approved by the Office of the Secretary of State and the agency.

G. Employee Use of ECS is Monitored and Can Be Restricted

The Internet is a public communications medium. Monitoring capabilities exist within the agency. The WSDOT Audit Office conducts monitoring of employee use of ECS. This monitoring includes logging of message content and recording all Internet sites visited. Reports of site access logs will be reviewed for inappropriate usage, which will be reported to the WSDOT Audit Office.

WSDOT may restrict employee use of, or limit access to, the Internet using gateways and proxy servers, by group or on an individual by individual basis.

H. Violation of This Executive Order May Result in Disciplinary Action

Violation of this Executive Order may be grounds for disciplinary action up to and including termination of employment.

Alternate Formats: Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (206) 389-2839. Persons with hearing impairments may call 1-800-833-6388 (Washington State Telecommunications Relay Service) and ask for (206) 515-3683.